

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

WELLS FARGO BANK, N.A., AS	§	
TRUSTEE FOR MERRILL LYNCH	§	
MORTGAGE INVESTORS TRUST	§	
MORTGAGE LOAN ASSET-	§	
BACKED CERTIFICATES, SERIES	§	CIVIL CASE NO. 4:21-CV-410-SDJ
2004-WMC3	§	
	§	
v.	§	
	§	
MATTHEW HODGES, ET AL.	§	


**MEMORANDUM ADOPTING THE REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report and Recommendation of the United States Magistrate Judge (“Report”), this matter having been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On January 25, 2023, the Report of the Magistrate Judge, (Dkt. #51), was entered containing proposed findings of fact and recommendation that Wells Fargo Bank, N.A., as Trustee for Merrill Lynch Mortgage Investors Trust Mortgage Loan Asset-Backed Certificates, Series 2004-WMC3’s Third Motion for Default Judgment as to Defendants Matthew Hodges, Crystal Hunter, and Jennifer Hosford, (Dkt. #44), be granted in part and denied in part; specifically, that the request for a default judgment be granted, the request for attorney’s fees as provided by the terms of the Loan Agreement be granted, and the request for attorney’s fees pursuant to Texas Civil Practice and Remedies Code Chapter 38 be denied.

Having assessed the Report, and the record in this case, and no objections to the Report having been timely filed, the Court determines that the Magistrate Judge's Report should be adopted.

It is therefore **ORDERED** that Wells Fargo Bank, N.A., as Trustee for Merrill Lynch Mortgage Investors Trust Mortgage Loan Asset-Backed Certificates, Series 2004-WMC3's Third Motion for Default Judgment as to Defendants Matthew Hodges, Crystal Hunter, and Jennifer Hosford, (Dkt. #44), is **GRANTED IN PART** and **DENIED IN PART**. A final default judgment shall be entered in favor of Wells Fargo Bank against Matthew Hodges, Crystal Hunter, and Jennifer Hosford. Any application for attorney's fees and costs shall be made pursuant to Federal Rule of Civil Procedure 54(d), to be determined by subsequent motion (and alongside supporting documentation), filed within fourteen (14) days of this Memorandum Adopting.

So ORDERED and SIGNED this 7th day of March, 2023.


SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE